

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

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**IN RE SIMPLY ORANGE ORANGE  
JUICE MARKETING AND SALES  
PRACTICES LITIGATION,**

MDL No. 2361  
Master Case No. 4:12-md-02361-FJG

This Document Relates To: ALL CASES

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## **DECLARATION OF STEVEN P. GASKIN**

### **I. Introduction and Qualifications**

1. My name is Steven P. Gaskin. I am with Applied Marketing Science, Inc. (“AMS”), a market research and consulting firm in Waltham, MA. I am a Principal at AMS and have been at the company since 2004. I hold Bachelor of Science and Master of Science degrees in Management from the Sloan School of Management at Massachusetts Institute of Technology (“MIT”). I have co-authored a number of articles and papers in such top-ranked peer-reviewed publications as Marketing Science and Management Science. In addition, I have authored several conference presentations on aspects of conjoint analysis at conference proceedings hosted by Sawtooth Software. I am a member of the Institute for Operations Research and Management Science (INFORMS).
2. I have served as an expert witness in several legal disputes. I have been called upon primarily to project what customers would have done in different market scenarios and to measure the importance of product features. My professional qualifications and a list of cases in which I have testified within the last four years at deposition or trial are included in my Curriculum Vitae attached as Exhibit A to this declaration.

### **II. Assignment**

3. It is my understanding that a number of people in the states of Alabama, California, Florida, Illinois, Missouri, New Jersey, and New York who purchased Simply Orange brand orange juice between the years of 2006 – 2012 have lodged complaints with Coca-Cola Company (“Coca-Cola”) that its “Not from Concentrate” Simply Orange brand orange juice has additional flavorings added that are not approved by the FDA for this type of product and are

not disclosed to consumers. Likewise, John A. Veal from the state of Alabama who purchased Minute Maid Pure Squeezed “Never From Concentrate” orange juice between the years of 2011 – 2012 has lodged complaints with Coca-Cola that Minute Maid Pure Squeezed “Never From Concentrate” orange juice (“Minute Maid Pure Squeezed”) has additional flavorings added that are not approved by the FDA for this type of product and that are not disclosed to consumers. Finally, I understand that a consumer from the state of Alabama who purchased Minute Maid Premium Original “From Concentrate” orange juice (“Minute Maid Premium”) has additional flavorings added that are not disclosed to consumers. I was asked by counsel for Plaintiffs to describe and design a market research survey and analysis that would enable me to assess the reduction in value that relevant customers assign to Simply Orange, Minute Maid Pure Squeezed, and Minute Maid Premium orange juice, that contain the added flavorings not allowed by the FDA and not disclosed to consumers, which are outlined in the Master Consolidated Complaint.<sup>1</sup>

4. The scientific methodology that will be used to design, execute, and analyze the study in this report is sound, reliable, and valid. The results will be relied upon to draw inferences about the reduction in value relevant consumers assign to Simply Orange, Minute Maid Pure Squeezed and Minute Maid Premium orange juice that contain the added flavorings not allowed by the FDA and not disclosed to consumers.
5. In undertaking this assignment, I will rely on my extensive expertise in developing, testing, and analyzing surveys and in interpreting qualitative and quantitative research about consumer attitudes, intentions, and behavior.

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<sup>1</sup> Master Consolidated Complaint, Case 4:12-md-02361-FJG, Document 23, Filed August, 14<sup>th</sup>, 2012.

6. A complete list of materials I have considered to date in connection with this particular assignment is included as Exhibit B. To the extent that I review additional information, I will supplement this list.
7. Part of the work for this investigation will be performed under my direction by others at AMS.
8. AMS bills my time as a survey expert at a rate of \$600 per hour. My compensation is not contingent upon the outcome of this dispute.

### **III. Overview of Methodology**




9. The basic methodology that I will use is known as web-based conjoint analysis. Conjoint analysis enjoys wide use in the field of market research. It was introduced to the field of market research in 1971 and is generally recognized by marketing science academics and industry practitioners to be the most widely studied and applied form of quantitative customer preference measurement. It has been shown to provide valid and reliable measures of customer preferences, and these preferences have been shown to provide valid and reliable forecasts of what customers will do (or would have done) under scenarios related to those measured.<sup>2</sup>
10. The general idea behind conjoint analysis is that customers' preferences for a particular product are driven by features or descriptions of features embodied in that product. Customers are shown product profiles made up of varying features (or levels of features) and asked as part of a series of "choice sets," to indicate their preferred product profiles (see Figure 1 below as an example of a single "choice set" that would be part of a series of

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<sup>2</sup> Hauser, John R. and Vithala Rao (2004), "Conjoint Analysis, Related Modeling, and Applications," *Advances in Marketing Research: Progress and Prospects*, Jerry Wind and Paul Green, Eds., (Boston, MA: Kluwer Academic Publishers).

“choice tasks”). This form of conjoint analysis is known as Choice-Based Conjoint (“CBC”).

**Fig. 1. Sample Choice Set**

<b><u>Brand:</u></b>	Store brand/Private label	Minute Maid	Florida's Natural
<b><u>Levels of Pulp Content:</u></b>	High Pulp	Low Pulp	High Pulp
<b><u>Concentrate:</u></b>	Not From Concentrate	Not From Concentrate	From Concentrate
<b><u>Expiration Date:</u></b>	Expires <u>tomorrow</u>	Expires a <u>week</u> from today	Expires a <u>month</u> from today
<b><u>Added Flavorings:</u></b>	Contains added orange flavorings <u>not disclosed</u> on the labeling on the bottle	Contains added orange flavorings <u>disclosed</u> on the labeling on the bottle	Contains <u>no added orange flavorings</u>
<b><u>Price:</u></b>	\$4.99	\$2.99	\$1.99
			

11. I used Sawtooth Software ([www.sawtoothsoftware.com](http://www.sawtoothsoftware.com)) for the programming of the questionnaire and will make use of it for the analysis of the survey results. Sawtooth Software is a leading provider of conjoint analysis software. Its software is used by academics and business practitioners around the world.<sup>3</sup> Conjoint analysis provides respondents with realistic choices among hypothetical products that vary on multiple feature categories. Its use of appropriate statistical methods, including Hierarchical Bayes (“HB”) regression analysis<sup>4</sup>, enhances predictive ability, making the conjoint analysis test more reliable and valid.

<sup>3</sup> Sawtooth Software, Inc.’s SSI Web Version 7.0 package, which is a well-known and widely used software system for these types of applications, was used for this survey.

<sup>4</sup> Sawtooth Software Technical Paper, “Choice-based Conjoint (CBC) Technical Paper,” 2013.

12. The randomization of the order and appearance of the features and levels limits the respondent from focusing on a single feature or attribute, which minimizes demand artifacts that might be induced. A demand artifact is similar to a leading question that encourages respondents to answer a question in a way that the researcher would prefer. The randomization of the conjoint analysis discourages respondents from guessing an answer they feel is what the researcher is “demanding.”
13. After the survey, the conjoint analysis uses data from the survey on the feature levels of the product profiles shown, and the resulting preferences or choices of respondents, to decompose customers’ preferences for a product into the partial contribution of these feature levels (“partworths”) to overall product utility.<sup>5</sup> The partworths for feature levels are identified with the estimation methods so that the partworths best predict customers’ preferences or choices from the survey. Conjoint analysis allows for the prediction of the probability that customers will choose any product profile that is described by the partworths and can do so for any competitive set of products. We can also simulate how choice shares would change in a market based on a change in overall price. CBC allows us to determine the difference in value (measured in dollars and/or percentage terms) that customers place on bottles of orange juice with added flavorings compared to the value of the bottles of orange juice without added flavorings as outlined in the Master Consolidated Complaint.
14. As noted above, to estimate the partworths, I intend to use a method known as HB regression. HB provides reliable and valid conjoint analysis estimates of partworths. It is the most commonly used estimation method for choice-based conjoint analysis. HB makes use of data from the overall sample of respondents when estimating the partworths for each

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<sup>5</sup> An economic term referring to the total satisfaction received from consuming a good or service.

individual respondent. Its use enables me to appropriately balance the number of choice tasks in the survey with the number of partworths that need to be estimated. I have observed in other conjoint surveys that I have conducted that such designs limit respondent wear-out.<sup>6</sup>

15. HB CBC estimation enables me to obtain more precise estimates of market-level distributions from individual, respondent-level estimates. HB CBC partworth estimates are best suited for calculating statistics at the market level, such as the average or median value of certain variables of interest, and for simulating the overall, aggregate behavior of the market.
16. In CBC, customers are shown sets of product profiles (called the “choice sets”), and asked to choose the profile that they most prefer, or, in other words, the profile that they would choose if they were making a choice and if the choice set described the only products that were available to them. I will show respondents three product profiles in each choice set. For this analysis, product profiles will be composed of six features: (i) added flavorings; (ii) levels of pulp content; (iii) concentrate; (iv) expiration date; (v) brand; and (vi) price. These features will be described in more depth below.
17. When price is one of the measured features in the conjoint analysis, the value (negative or positive) that customers place on changes in features can be expressed in price and/or percentage terms. That is, reduction in value can be calculated as the price (and/or percent) reduction needed to compensate, in the aggregate, for the loss of a feature, or a change to a worse level of a feature. Similarly, added value, or the additional price (and/or percent) customers would pay, in the aggregate for the inclusion of a new feature or a better level of a

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<sup>6</sup> If too many questions are asked of a respondent, then the respondent will “wear out,” that is, response errors will increase as the respondent tires. Not only do I limit the number of questions in the choice task to minimize wear out, but I also pretest the questionnaire to assure that respondents do not experience wear out. See Section V for details on pretesting.

feature can be calculated. Because CBC is based directly on customer choices, it is, in my opinion, an ideal method to determine the value that customers place on a bottle of orange juice that does not contain added flavorings. In particular, we can determine the reduction in value (measured in dollar and/or percentage terms) that customers place on a bottle of orange juice with added flavorings compared to an otherwise identical bottle of orange juice that does not contain added flavorings as outlined in the Master Consolidated Complaint.

18. I have performed similar analyses using similar methodologies before. For example, I am an expert in a class action lawsuit bearing the caption *Sanchez-Knutson v. Ford Motor Co.*, No. 14-61344-CIV-DIMITROULEAS (S.D. Fla.), which concerns an auto defect. Additionally, I was an expert in a class action lawsuit bearing the caption *Devi Khoday and Danise Townsend v. Symantec Corp. and Digital River, Inc.*, Case No. 0:11-cv-00180 (D. MN.), which concerned a software product. In both cases, I proposed using a similar methodology prior to the court certifying the class. After the court accepted my damages methodology and granted class certification, I successfully performed the analysis, consistent with the methodology I proposed.

#### **IV. Questionnaire Development**

19. The attributes and levels do not need to include every possible feature of the orange juice. Their main purpose is to provide a reasonable and engaging choice task, and to help disguise the fact that our chief interest is in respondents' reaction to the added flavorings in the orange juice as outlined in the Master Consolidated Complaint. One of the attributes will be price, so that our reduction in value calculations can be made.
20. To avoid order bias, attributes will be shown in a different order, chosen at random, for each respondent - except for price, which will always be last.



21. To establish the attributes and levels, I began by determining the features that would be part of each product profile. After review of the Master Consolidated Complaint and discussions with Plaintiff's counsel, I developed an attribute called Added Flavorings, which is the key attribute of interest. I have not reviewed or interpreted the class claims regarding any problems with Added Flavorings and do not have a professional opinion on the matter. I relied on Plaintiff's counsel to ensure that the problems were fairly and accurately portrayed. In addition to the key attribute, Added Flavorings, and a price attribute, I added a number of other 'distractor' attributes that would be both believable and understandable to relevant respondents. I used the Simply Orange website<sup>7</sup> to help choose features that would be recognizable to a common audience and would simulate a real orange juice purchase experience. Levels of Pulp Content relates to the juicy bits of real orange found in orange juice, which when added to the juice, provides a thicker consistency. Concentrate relates to whether or not the juice is "from concentrate" or "not from concentrate". Expiration date refers to when the bottle of ready-to-drink orange juice expires, that is, when the orange juice is best to be consumed by. Brand refers to the brand of the orange juice. Price was also a necessary variable so that the value placed by respondents on the various features could be expressed in terms of price. In the survey, all features other than the chosen features and levels were held constant.
22. Respondents will be asked during the survey to make a number of assumptions that will make the conjoint exercise more plausible.
- Any features not shown in the exercise are the same across the possible choices presented.
  - All orange juices are available at the store at which you typically shop.

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<sup>7</sup> <http://www.simplyorangejuice.com/> visited on 05/19/2016.

- No coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase. The price shown is the price you will pay.
  - Each option shown is a 59 fluid ounce clear plastic bottle of ready-to-drink orange juice. Please note that 59 fluid ounces is a little less than half a gallon.
  - Again, please assume that all other features will be the same across the bottles of orange juice you will be shown.
23. The questionnaire has been programmed into a web-based software system designed for administering and analyzing such questionnaires.<sup>8</sup> The text of the final questionnaire that respondents will complete is shown in Exhibit C. Respondents will answer all survey questions via their desktop computers, laptop or tablet computers. Exhibit D also contains representative reproductions of the computer or tablet screens respondents will see during the survey. I say “representative” because some questions, such as the choice tasks, will be chosen based on algorithms that include appropriate randomization to avoid order effects<sup>9</sup>. Thus, respondents can see different sets of choice tasks, and Exhibit D contains an example of the types of screens that respondents will view.
24. It is standard survey practice to avoid indicating the sponsor and/or purpose of the survey to ensure respondents’ objectivity and to make the respondent “blind” to the sponsor and purpose of the survey. The design and administration of my survey can be characterized as blind to the respondents (as evidenced by the pretest interviews). Because the survey will be administered via the Internet, respondents will not be exposed to human interviewers, thereby eliminating the possibility of an interviewer communicating the sponsor or purpose of the survey and influencing the outcome (intentionally or not). An Internet-based survey avoids

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<sup>8</sup> I used Sawtooth Software, Inc.’s SSI Web Version 7.0 package, which is a well-known and widely used software system for these types of applications.

<sup>9</sup> “Order effects” is a term referring to the effect question order or the order of a list of possible question responses has on respondents’ answers to a survey.

demand artifacts that might be induced by means of intonation or facial expressions during the delivery of particular questions or answers<sup>10</sup>. An Internet-based survey removes, or at least greatly diminishes, any “interviewer bias” which may arise from the desire of the respondents to please, displease, or impress the interviewer. (One might say that the computer is blind to the outcome; hence the study is double-blind.)

## **V. Pretesting the Questionnaire**

25. The conjoint questionnaire was pretested with 73 respondents. The pretest interviews themselves are verbal debriefs of pretest respondents after the respondents have answered the survey questions. The interviewers, who are highly trained market researchers who worked under my direction, tested that respondents understood the written description of each feature; that they did not have difficulty with the questions and instructions; that they understood the choice exercise they were asked to perform; and that they looked at all or almost all of the features in making their choices. Additionally, the interviewers explicitly tested for demand artifacts, asking respondents about their beliefs about the sponsor and purpose of the survey. No demand artifacts were detected in the final phrasing and layout of questions. Notes from pretest interviews can be found in Exhibits E and F. Information from these pretest interviews helped with the design of instructions and descriptions of features. Pretesting revealed that respondents understood the questions, instructions, and descriptions presented in the questionnaire and that the interview flowed smoothly. Following standard procedures, no pretest responses will be included in the final sample.

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<sup>10</sup> A demand artifact is similar to a leading question that encourages respondents to answer a question in a way that the researcher would prefer.

## VI. Identifying the Sample

26. The population we will target for this survey is residents from the states of Alabama, California, Florida, Illinois, Missouri, New Jersey, and New York who purchased Simply Orange or Minute Maid ready-to-drink orange juice in the past 12 months.
27. For this survey, potential respondents will be selected at random through Research Now's general population respondent panel<sup>11</sup> and will be sent an invitation to go to a special website to complete the survey. Each invitation will include a URL with an embedded password that will be matched against a list of valid passwords and against the list of passwords that have already been used. (The former assures that only valid respondents complete the questionnaire. The latter assures that each respondent completes the questionnaire at most once.) Research Now motivates respondents to participate in these surveys by giving them a small monetary incentive. For the present study, respondents will receive an incentive of approximately \$2.50<sup>12</sup> in Research Now currency. The incentive will not be contingent on respondents providing particular answers and there is consensus in the industry that such small monetary incentives do not lead to any bias in the survey results.
28. As part of Research Now's panel recruitment process, all panel members complete a questionnaire that includes basic demographic information (state or residence, age, gender, etc.) Using this information, Research Now will be able to target survey invitations to people who indicated that they reside in one of the seven states outlined in the Master Consolidated Case (Alabama, California, Florida, Illinois, Missouri, New Jersey, or New York).

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<sup>11</sup> Research Now is a well-established international market research service form that maintains an invitation-only panel of over 6 million panelists worldwide. Research Now, Panels, at <http://www.researchnow.com/en-US/Panels.aspx>, (visited on May 23, 2016).

<sup>12</sup> Incentives are based on the audience and length of interview. The longer the survey, the higher the incentive in order to minimize respondent drop-off.

29. After clicking the link from the email invitation, respondents will be promoted to a browser window with an introduction followed by a CAPTCHA challenge to ensure that responses are not computer-generated.<sup>13</sup> After completing the CAPTCHA, respondents will move to the survey. Research Now is a reputable, experienced panel provider and has security procedures in place to prevent anyone other than panel members from entering the survey, prevent survey “bots” and prevent a respondent from taking the survey more than once.
30. To provide further validation, respondents will be asked their age and gender which will be compared to values in Research Now’s database. Any respondent whose stated age and gender does not match the values in the database will be terminated from the survey.
31. Following validation, in order to qualify for the survey, respondents will be screened to ensure that they had personally purchased bottles or cartons of ready-to-drink Minute Maid or Simply Orange brand orange juice in the past 12 months. We recommend that a sample size of approximately 500 respondents complete the survey.
32. A sample size of 500 respondents is more than sufficient for making scientifically valid conclusions on the basis of this survey. This sample size greatly exceeds the minimum requirements laid out by Sawtooth Software for sample size in a conjoint analysis study.<sup>14</sup> I have made, and validated, forecasts based on quantitative surveys of 250 or 300 respondents, and sample sizes such as these are commonly used by large businesses to make important decisions.
33. After data are collected, we will review respondents’ data for “speeding” and “straightlining” according to generally accepted data cleaning procedures. To establish speeding criteria, the

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<sup>13</sup> A CAPTCHA challenge refers to a program that protects websites against “bots” (i.e., computer-generated responses) by generating and grading tests that humans can pass, but current computer programs cannot. The acronym CAPTCHA stands for Completely Automated Public Turing Test To Tell Computers and Humans

<sup>14</sup> Orme, B. (2010). “Getting Started with Conjoint Analysis: Strategies for Product Design and Pricing Research.” Second Edition, Madison, Wis.: Research Publishers LLC. See Chapter 7, “Sample Size Issues for Conjoint Analysis.”

survey will be tested internally to determine the fastest reasonable completion time. We judge “straightlining” based on an invalid pattern of responding on the conjoint portion of the survey (i.e., inputting the same response to at least 11 of the 12 choice sets in the conjoint exercise).

## **VII. Survey Administration**

34. After the initial checking of age and gender to make sure that they match panel records,<sup>15</sup> respondents will be asked about whether they or anyone in their household work for certain types of companies. Respondents who indicate that they or someone in their household works for a market research company or advertising agency, or a company that makes or sells beverages, will not be allowed to continue. Next, respondents will be asked which, if any, of the grocery products listed, they have personally purchased in the past 12 months. Those that do not select “orange juice” will be terminated. Those that select “orange juice” will be asked which type of orange juice they have personally purchased. Only those who indicate that they have personally purchased “bottles or cartons of ready-to-drink orange juice” in the past 12 months will be allowed to continue. Next, respondents will be asked what brands of bottles or cartons of ready-to-drink orange juice they have personally purchased at least once in the past 12 months. Those who indicate that they have purchased Minute Maid or Simply Orange brands of ready-to-drink orange juice will be allowed to continue. Following that question, respondents are directed to a quality control question that will ask them to select “East” from a list of response options. Those that select “North”,

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<sup>15</sup> This is done as a method of validating respondents’ identity. Specifically, respondents’ age and gender survey answers are compared to the age and gender information on record with the panel company and any respondents whose information does not match are not allowed to complete the survey.

“South” or “West” will terminate and those that select “East” will continue to the main part of the survey.

35. To avoid influencing respondents’ answers and survey results and to minimize answers from uninformed respondents, I use filters in my survey question response options, such as the answer option of “Don’t know/Unsure”. I also randomize answer options in the survey questions where it is appropriate.
36. In the main part of the survey, respondents will be introduced to the conjoint task and shown a list of the features that will be varied in the product profiles that are to follow. They will be asked to make certain assumptions during the conjoint choice tasks, which I have discussed earlier.
37. Respondents will then be shown an introductory description for each feature. These introductory descriptions provide detailed information about each feature. Specific wording of these screens can be found in Exhibits C and D. Respondents will be forced to view each description prior to continuing to the choice exercise. These descriptions will be made accessible later in the survey, while completing the choice exercise, by clicking on the name of the feature in each question.
38. The features and feature levels that will be used are indicated below. The main feature of interest is described as “Added Flavorings”. Four other distractor features are also included to ensure that basic features of orange juice balance the feature of interest. These are “Levels of Pulp Content,” “Concentrate,” “Expiration Date,” and “Brand”. Another of the attributes will be “Price,” so that our reduction in value calculations can be made.

- Added Flavorings

- The additional orange flavorings we will discuss are derived from various parts of the orange.
- These orange flavorings are created by flavor experts to give the orange juice a consistent taste from bottle to bottle.

Contains added orange flavorings <u>not disclosed</u> on the labeling on the bottle	Contains added orange flavorings <u>disclosed</u> on the labeling on the bottle	Contains <u>no added orange flavorings</u>
The orange flavorings added are <u>not disclosed</u> on the labeling on the bottle.	The orange flavorings added are <u>disclosed</u> on the labeling on the bottle.	There are no orange flavorings added.

- Levels of Pulp Content

- Pulp is juicy bits of real orange found in orange juice. When added to the juice, pulp provides a thicker consistency. When removed from the juice, the juice has a thinner consistency.

High Pulp	Low Pulp	Pulp Free
Orange juice with high pulp has the <u>most pulp</u> and the thickest consistency. High pulp is for those that like a lot of pulp.	Orange juice with low pulp has <u>less pulp</u> and a thinner consistency. Low pulp is for those that like some, but not a lot of pulp.	Orange juice that is pulp free has <u>no pulp</u> and the thinnest consistency. Pulp free is for those that do not like pulp.



- Concentrate

- Some orange juices are made from concentrate. “FROM CONCENTRATE” orange juice is juiced from the fruit, then heated to remove most of the water from the orange juice, to allow for more efficient transportation and storage. After storage, the juice is later reconstituted, in which the concentrate is mixed with water to return it to a ready-to-drink liquid that is bottled and sold.
- Other orange juices are “NOT FROM CONCENTRATE”. This type of orange juice is not heated to remove the water and remains in liquid form from the initial juicing through bottling and delivery to the store.

From Concentrate	Not From Concentrate
This orange juice is <u>made from concentrate</u> .	This orange juice is <u>not made from concentrate</u> .

- Expiration Date

- To enjoy the freshest taste, it's best to drink bottled ready-to-drink orange juice before the expiration date.
- Each bottle of ready-to-drink orange juice has an expiration date printed on the bottle.

Expires <u>tomorrow</u>	Expires a <u>week</u> from today	Expires a <u>month</u> from today
The expiration date written on the bottle <u>expires tomorrow</u> .	The expiration date written on the bottle <u>expires in a week</u> .	The expiration date written on the bottle <u>expires in a month</u> .

- Brand

- All orange juice brands shown below are available at the store at which you typically shop.
- Each option shown is a 59 fluid ounce (fl. oz.) clear plastic bottle of ready-to-drink orange juice. Please note that 59 fluid ounces is a little less than half a gallon.

<b>Tropicana</b>	<b>Simply Orange</b>	<b>Minute Maid</b>	<b>Florida's Natural</b>	<b>Store brand/Private label</b>
The brand of this orange juice is Tropicana.	The brand of this orange juice is Simply Orange.	The brand of this orange juice is Minute Maid.	The brand of this orange juice is Florida's Natural.	The brand of this orange juice is a store brand or private label.

- Price

- Assume no coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase. The price shown is the price you will pay.
- Assume each option shown is a 59 fluid ounce (fl. oz.) clear plastic bottle of ready-to-drink orange juice. Please note 59 fluid ounces is a little less than half a gallon.

<b>\$1.99</b>	<b>\$2.99</b>	<b>\$3.99</b>	<b>\$4.99</b>
You will pay \$1.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$2.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$3.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$4.99 for this 59 fl. oz. bottle of orange juice.

39. Respondents will then continue to the twelve choice tasks that are the main section of the conjoint survey. They will be shown a series of twelve choice tasks, each containing a choice set of three different, hypothetical bottles of orange juices that will be described by the combinations of levels of the features that we selected.
40. Feature order will be randomized across respondents, but not within respondents, in the choice exercises with the exception of price, which will always be listed last. For each set of three alternative orange juice options, respondents will be asked: "If these were your only

options and you were choosing a bottle of orange juice, which orange juice would you choose?” Respondents will indicate which of the three bottles of orange juice options they would choose. For each choice task, respondents will also be presented with a second question which reads, “Given your knowledge of the market, would you actually be willing to buy the orange juice that you chose above?” The second question is designed to estimate the minimum level of attractiveness necessary for respondents to choose one of the bottles of orange juices shown, rather than to choose not to choose among the bottles of orange juices shown (this is also known as the “no choice” or “dual-response” option).<sup>16,17</sup> The answer to this second question provides another data point about the necessary attraction of a product so that the respondent would buy it. Technically, I will estimate an additional partworth to quantify the minimum level of attractiveness. The lower this partworth, the greater the effect on consumers’ purchase decision.

41. After answering both questions, the respondent will continue on to the next choice task. For each respondent, choices will be made among the different products in the choice sets and the choices will be used to estimate a set of partworths. The choice sets will be chosen randomly to ensure that respondents will see each level of each feature in the choice sets with roughly the same frequency. The designs are highly efficient, i.e., they provide the estimates of partworths with high precision.<sup>18</sup>
42. Following the presentation of the twelve choice tasks, respondents will be thanked and the interview will be completed.

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<sup>16</sup> Jeff D. Brazell, Christopher G. Diener, Ekaterina Karniouchina, William L. Moore, Valérie Séverin, and Pierre-Francois Uldry (2006), “The no-choice option and dual response choice designs,” *Marketing Letters*, 17, 4, (December).

<sup>17</sup> [http://www.sawtoothsoftware.com/help/issues/ssiweb/online\\_help/hid\\_web\\_cbc\\_none.htm](http://www.sawtoothsoftware.com/help/issues/ssiweb/online_help/hid_web_cbc_none.htm)

<sup>18</sup> For more technical descriptions see Sawtooth Software Technical Paper, “Choice-based Conjoint (CBC) Technical Paper,” 2013. Efficiencies were 100% for the balanced overlap randomized designs.

## VIII. Analysis

43. Hierarchical Bayes estimates for the partworths for each respondent will be obtained from the data with software developed by Sawtooth Software, Inc.<sup>19</sup> These individual-level partworths will be used in a simulation model.
44. In order to establish the appropriateness of using the partworths to forecast customer behavior, we will test the fit and predictive ability of the conjoint analysis estimates. One such method is to determine the holdout performance, which measures how well the partworth estimates predict the actual choices made by survey respondents when looking at a subset of the choice sets not used in the estimation. In other words, if the model is still able to predict product choices for the one choice set that is removed or “held out” from the data used for estimation, we can be more confident in the validity of the model. In very simple terms, we ask the model, “Given the preferences obtained from the partworths estimated from just 11 choice sets, how well can you predict the product choice in the 12<sup>th</sup>?” To get a valid indicator of holdout performance, I will use the HB method excluding one of the twelve choice sets for each respondent from the estimation. I will repeat this process three times using a different choice set each time and calculate the percentage of choices that can be predicted correctly with the HB estimates. A purely random approach would predict the choice correctly only 33.3 percent of the time (one time out of three). It is my experience from other studies I have conducted that the HB estimates are appropriate for making predictions with respect to alternative scenarios.

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<sup>19</sup> Sawtooth Software CBC/HB Module for Hierarchical Bayes Estimation, Version 5.5.3.

## **IX. Description of Conjoint Results**

45. The results obtained after conducting a conjoint analysis will allow me to calculate the reduction in value that purchasers of Simply Orange and Minute Maid orange juice place on the orange juice containing orange flavorings not disclosed on the labeling on the bottle as outlined in the Master Consolidated Complaint. Stated differently, I will be able to calculate the difference in the amount relevant customers are willing to pay for Simply Orange and Minute Maid orange juice that does not contain added orange flavorings as compared to the amount they are willing to pay for an otherwise identical bottle of orange juice that does contain added orange flavorings not disclosed on the labeling on the bottle as outlined in the Master Consolidated Complaint.

## **X. The Effect of Added Flavorings on Consumers' Purchase Decisions**

46. As part of the analysis, I will describe a series of choice simulations based on the HB CBC partworth estimates. The simulations calculate how consumers' decision to purchase bottles of orange juice is affected by the features I tested. As discussed above, in each choice task, the respondent will choose his or her most preferred bottle of orange juice from the three that are shown, assuming those are his or her only options. Then, once the choice is made, the respondent will be asked, "Given your knowledge of the market, would you actually be willing to buy the orange juice that you chose above?" The respondent, if she or he says no, is rejecting all three bottles of orange juice shown in the choice task in favor of other orange juices that the respondent would consider purchasing and finds preferable to the three bottles of orange juice shown. These simulations show how consumers' choices can be affected, relatively, by the presence of undisclosed orange flavorings discussed in the Master Consolidated Complaint. The results I will show do not represent actual market shares for

Minute Maid or Simply Orange brand orange juice or the percent of respondents in our sample who are willing to buy Minute Maid or Simply Orange brand orange juice. We will be looking to see, in the aggregate, how purchase decisions change from the most preferred option in a choice task to other unnamed options due to added flavorings.

47. I will use standard procedures in the Sawtooth Software HB CBC software to run the choice simulations. Market simulations using HB CBC partworth estimates are often used by firms to simulate what would happen if a new product were introduced to a market, or if a firm decided to change a feature or features of an existing product. Forecasts based on such market simulations are sufficiently accurate that firms routinely make decisions based on the results of these simulations.<sup>20</sup> To predict customers' choices in the simulation, I will apply an approach commonly used in marketing research called "Randomized First Choice ("RFC") Simulation." Under RFC, a consumer chooses the product that gives him or her the highest utility among the available choices (i.e., the first choice), where the consumer's utility from a product is calculated as the sum of the estimated partworths for the features provided by the product plus random draws of the unobserved components in the utility.<sup>21</sup> The consumer will choose the product if it is sufficiently attractive, that is, if the utility he or she gets from choosing the product is larger than the utility (partworth) of not choosing the product (choosing the "outside option"). Alternatively, one can also use a related methodology, commonly called "First Choice ("FC") Simulation."<sup>22</sup>

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<sup>20</sup> For example, see Orme, B (2010), "Chapter 10: Market Simulators for Conjoint Analysis," *Getting Started with Conjoint Analysis: Strategies for Product Design and Pricing Research*, Second Edition, (Madison, Wis.: Research Publishers LLC).

<sup>21</sup> The Sawtooth Software HB estimation includes a standard option to perform RFC. The software assumes that the random perturbations on the partworths of each attribute follow a standard Gumbel distribution and the additional random perturbations at the product level also follow a Gumbel distribution.

<sup>22</sup> In FC simulation, a consumer's utility from each product is calculated as the sum of the estimated partworths for the product's features. In RFC simulation, additional random perturbations are added to the estimated partworths and their sum. Therefore, when I do not add random perturbations to derive my estimates of the parameters of interest, it follows that the RFC simulation reduces to the FC simulation. The baseline and but-for shares of various products do not change substantially between the two

48. To calculate the effect removing a particular feature has on consumers' willingness to buy a product, I first will perform a baseline choice simulation. In this scenario, I will construct a baseline product that includes all of the features included in the survey and use the HB CBC partworth estimates to simulate whether or not consumers choose to buy that baseline product. It is important to account for the fact that whether or not consumers would choose to buy the baseline product may vary depending on the levels of all feature categories. As such, in constructing the baseline bottle of orange juice, I first would determine a price level (say \$3.99) and then would add all the features included in Added Flavorings, Level of Pulp Content, Concentrate, Expiration Date, and Brand.<sup>23</sup> I then would use the RFC simulations to infer the share of consumers who would buy this bottle of orange juice. I will refer to the fraction of consumers who buy this bottle of orange juice as the baseline share.
49. Then I would calculate this willingness to buy share again, but this time for a bottle of orange juice that includes all of the same features as in the baseline orange juice except the "Added Flavorings" attribute being tested. For example, in order to test the impact of changing the added flavorings to "contains added orange flavorings not disclosed on the labeling on the bottle," I would construct a second bottle of orange juice with the same price level (\$3.99) and same baseline levels of the other features, except for added flavorings. I would refer to the share of consumers who choose to buy this second bottle of orange juice as the but-for share.

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methods. Both the FC and RFC approaches are valid and provide reliable estimates at the aggregate level and, when used appropriately, at the aggregate level, the random draw introduced by RFC helps account for any imprecision and enhances predictive accuracy.

<sup>23</sup> For example, given that the price is \$3.99, the baseline bottle of orange juice has the following features: added flavoring, contains no added orange flavorings; levels of pulp content, low pulp; concentrate, not from concentrate; brand, Tropicana; and expiration date, expires a week from today.

50. The difference between the baseline and but-for shares will provide an estimate of the percentage of orange juice customers who would buy a bottle of orange juice with the baseline added flavorings, “contains no added orange flavorings,” but not with an added flavorings level of “contains added orange flavorings not disclosed on the labeling on the bottle.”<sup>24</sup>

## **XI. Calculation of the Reduction in Orange Juice Value Due to Added Flavorings**

51. I will use the Market-based method to determine the reduction in value due to added flavorings not disclosed on the labeling on the bottle. The Market-Based method uses the HB partworths to simulate a market in which all customers react to the same choice set of products and prices. Such market-based simulations are used often by firms to simulate what would happen if a new product were introduced to a market or if an existing product changed its features.

52. The Market-based method uses the partworths to predict how customers would react in a hypothetical world in which there are two available bottles of orange juice and competitor orange juices that vary only according to price and flavorings. For each respondent, the partworths for the levels present in each product profile will be summed to obtain an overall relative preference, or utility for each of the two bottles of orange juice. These utilities, in turn, combined with a decision rule (e.g., the product with the highest utility will be chosen), can be used in a conjoint simulator to calculate market shares for the two bottles of orange juices.<sup>25</sup> Since these two bottles of orange juice are the only orange juices available in this

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<sup>24</sup> Should there be interaction effects between any of the attributes that we need to model, the calculations in the analysis will be adjusted to take this into account.

<sup>25</sup> Although partworths represent respondents' preferences, it is also necessary to have a decision rule in order to model respondents' choice behavior. To calculate the market share, or the proportion of survey respondents who would choose each hypothetical level of added flavorings, we will use two methods: First Choice Simulation and Randomized First Choice Simulation. These methods have been described earlier in this report.



market simulation, their shares add to 100%. I will use the Market-based method to determine the price difference at which the market, as represented by the respondents, would be indifferent between a bottle of orange juice with added flavorings and a bottle of orange juice without added flavorings. When the market is indifferent, the market share for each bottle of orange juice is 50%. Then, using the same methodology, I will calculate the reduction in value due to a change in added flavorings from “contains no added orange flavorings” to “contains added orange flavorings disclosed on the labeling on the bottle.”

53. As described above, the Market-Based method of calculating the reduction in value due to added flavorings sets up a hypothetical situation in which there are only two alternative bottles of orange juices in the choice set: one in which the bottle of orange juice “contains no added orange flavorings” and one in which the bottle of orange contains added orange flavorings not disclosed on the labeling on the bottle, e.g., “contains added orange flavorings not disclosed on the labeling on the bottle.” For each of the two bottles of orange juice in the simulation we will hold all other features (except price) constant at specific levels (i.e., those listed in the baseline orange juice described above); the exact levels we choose for these other features will not affect our calculations. The price of each of the two bottles of orange juice will be initially set at \$4.99. We then will simulate markets with lower prices for the orange juice that has all of the baseline features specified above except that it will have added flavorings of “contains added orange flavorings not disclosed on the labeling on the bottle.” We will keep lowering the price of this bottle of orange juice until the market is indifferent between the two bottles of orange juices (i.e., each one has a market share of 50%). That is, we will find the lower price of the second bottle of orange juice (with the added flavorings of “contains added orange flavorings not disclosed on the labeling on the bottle”) such that half

of the market (i.e., as represented by the data from all of the respondents in our analysis) chooses the first bottle of orange juice (with added flavorings of “contains no added orange flavorings”) and half of the market chooses the second bottle of orange juice (“contains added orange flavorings not disclosed on the labeling on the bottle”). The reduction in value equals the difference between the two prices that compensates for the added flavorings. This process will then be repeated at the other price levels to get one measure of reduction in value, and then raising the price of the orange juice to get another.<sup>26</sup> I will choose the smallest (which is the most conservative) among the price differences obtained at the different levels of starting prices as the reduction in value for the less desirable bottle of orange juice. I will then round the number down to the nearest cent, for ease of presentation. This dollar value will then be expressed as a percentage of the highest price available in the survey (\$4.99) to give the reduction in value on a percentage basis. Using the highest price as the denominator is the most conservative method, because it gives the lowest percentage of reduction in value.

## **XII. Conclusions**

54. This analysis is designed to look at the potential reduction in value caused by the presence of added flavorings, meaning the difference in the value of the bottles of orange juice without added flavorings compared to the value of the bottles of orange juice with undisclosed added flavorings.

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<sup>26</sup>To calculate the reduction in value, it is possible to lower the price of the less desirable bottle of orange juice, or to raise the price of the more desirable one. We will try both methods, starting at all four price points, and will report the reduction in value as the smallest value found across all starting price points. Note, however, that we cannot raise or lower the price beyond the boundaries used in the conjoint analysis (i.e., \$1.99 and \$4.99). From the lower bound price of \$1.99 we can only raise the price for the more desirable bottle of orange juice, and for the upper bound price of \$4.99 we can only lower the price of the less desirable bottle of orange juice. The maximum reduction in value we can measure is, therefore,  $\$4.99 - \$1.99 = \$3.00$ , and the answer given in such a case will be conservatively reported as \$3.00. To be even more conservative, the values given are rounded down to the nearest cent.

55. The scientific methodology that I will use to design, execute, and analyze the conjoint survey is sound, reliable, and valid. The results from the proposed conjoint analysis applications can be relied upon to draw inferences about the value to customers of product features such as the key feature in the present matter, the orange juice containing added flavorings not disclosed on the labeling on the bottle, outlined in the Master Consolidated Complaint.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 8, 2016 in Waltham, Massachusetts.

Steven P. Gaskin



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Date

July 8<sup>th</sup>, 2016

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## **Exhibit A. Gaskin CV**

### **Steven P. Gaskin Curriculum Vitae**

Business Address: Applied Marketing Science, Inc.  
303 Wyman Street, Suite 205  
Waltham, MA 02451  
Work: (781) 250-6311  
Cell: (781) 612-3226  
Fax: (781) 684-0075

E-mail: [sgaskin@ams-inc.com](mailto:sgaskin@ams-inc.com)

Web address: [www.ams-inc.com](http://www.ams-inc.com)

Home Address: 50 Old Orchard Road  
Sherborn, MA 01770  
(508) 651-8396

Education: MASSACHUSETTS INSTITUTE OF TECHNOLOGY, SLOAN  
SCHOOL OF MANAGEMENT, Master of Science in Management, June 1983.  
Brooks Prize for Best Master's Thesis.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Bachelor of Science  
in Management, June 1977. Naval ROTC Award for Outstanding  
Overall Achievement.

Career Positions:  
2004-present

APPLIED MARKETING SCIENCE, INC., Waltham, MA  
Principal. AMS is a marketing research and consulting organization with two  
main practices in which I consult and oversee projects 1) *Product And  
Process Improvement* which helps clients in a broad range of product and  
service industries identify and use the Voice of the Customer to develop new  
products and services and understand customer behavior and 2) *Litigation  
Services* which supports expert testimony related to surveys, including  
design, execution, analysis, reporting and critique of opposing expert  
reports. Cases include patent damage lawsuits regarding the valuation of  
particular product features using conjoint analysis, trademark, class action,  
and copyright.

2000-2003

ADPILOT, INC., New York City and Sherborn, MA  
Chief Technology Officer. Provided consulting on marketing models for  
magazine advertising effectiveness, targeting for grocery store consumer  
promotions, and consumer packaged goods store/week/upc level promotion  
response.

1992-2000	<p>THE DELPHI GROUP, INC., Sherborn, MA  President. Provided consulting on marketing models for forecasting and promotion response to other market research firms, including the M/A/R/C Group, Adpilot, Inc., Silknet Software, Sandoz, Schering-Plough, Warner-Lambert, and Syncra Software. Worked with marketing expert witnesses and economists on litigation research. Winner of competition to become forecaster of new vehicle sales for all divisions worldwide for Ford Motor Company.</p>
1989-1992	<p>M/A/R/C, INC., Waltham, MA  Director of Research and Development. Managed the Waltham, MA office. Developed, sold and delivered marketing sciences model applications to Fortune 500 firms. Developed and implemented the RAPIDS sales force sizing and allocation model for pharmaceutical companies around the world.</p>
1985-1989	<p>INFORMATION RESOURCES, INC., Waltham, MA  Director of Research and Development. Rebuilt and enhanced the ASSESSOR new product forecasting model. Participated in the early development of the Voice of the Customer methodology for generating customer needs.</p>
1982-1985	<p>MANAGEMENT DECISION SYSTEMS, INC., Waltham, MA  Director of Research and Development. Responsible for the development and commercialization of numerous marketing science models including, CATALYST and DEFENDER.</p>
1977-1982	<p>UNITED STATES NAVY, Lieutenant aboard guided missile cruiser USS Leahy, CG-16. Served as Gunnery Officer, Electronic Warfare Officer, and Intelligence Officer during cruises from San Diego to the Far East, Indian Ocean, Persian Gulf and Africa. Top Secret Special Background Investigation clearance. Managed extensive ship repairs in shipyard.</p>
Publications:	<p>Hauser, John R. and Steven P. Gaskin (1984). "Application of the "DEFENDER" Consumer Model," <i>Marketing Science</i>, Vol. 3, No. 4.</p> <p>Urban, Glen L., Theresa Carter, Steven Gaskin and Zofia Mucha (1986). "Market Share Rewards to Pioneering Brands: An Empirical Analysis and Strategic Implications," <i>Management Science</i>, Vol. 32, No. 6 (June).</p> <p>Gaskin, Steven, Theodoros Evgeniou and Daniel Bailiff (2007). "Two-Stage Models: Identifying Non-Compensatory Heuristics for the Consideration Set then Adaptive Polyhedral Methods within the Consideration Set," <i>Proceedings of the Sawtooth Software 2007 Conference, Santa Rosa, CA</i>.</p> <p>Hauser, John R., Min Ding and Steven P. Gaskin (2009). "Non-compensatory (and Compensatory) Models of Consideration-Set Decisions," <i>Proceedings of the Sawtooth Software 2009 Conference, Delray Beach, FL</i></p>

Hauser, John R., Abbie Griffin, Robert L. Klein, Gerald M. Katz, and Steven P. Gaskin (2010). "Quality Function Deployment (QFD)," *Wiley International Encyclopedia of Marketing*, edited by Jagdish N. Sheth and Naresh K. Malhotra.

Gaskin, Steven P., Abbie Griffin, John R. Hauser, Gerald M. Katz, and Robert L. Klein (2010). "Voice of the Customer," *Wiley International Encyclopedia of Marketing*, edited by Jagdish N. Sheth and Naresh K. Malhotra.

Ding, Min, John Hauser, Songting Dong, Daria Dzyabura, Zhilin Yang, Chenting Su and Steven Gaskin (2011). "Unstructured Direct Elicitation of non-compensatory and Compensatory Decision Rules," *Journal of Marketing Research*, Vol. 48 (February), 116-127.

Griffin, Abbie, Brett W. Josephson, Gary Lilien, Fred Wiersema, Barry Bayus, Rajesh Chandy, Ely Dahan, Steve Gaskin, Ajay Kohli, Christopher Miller, Ralph Oliva and Jelena Spanjol (2013). "Marketing's roles in innovation in business-to-business firms: Status, issues, and research agenda," *Marketing Letters*, Vol. 24 (May), 323-337.

Expert  
Testimony

Barbara Schwab et al. v. Philip Morris USA, Inc. et al.  
Case No. CV-04-1945 (JBW)(SMG), E.D. of New York  
Light Cigarettes Litigation, deposited in connection with support of John Hauser, expert for plaintiffs

Computer Sciences Corporation v. Ascension Health  
AAA No. 58-117-Y-00290-08  
Customer Satisfaction Survey evaluation (2011 Report)

Linares et al. v. Securitas Security Services, USA et al.  
Superior Court, State of California, Los Angeles County  
Employment Survey (2011 Report, deposited Sept. 14, 2011)

Devi Khoday and Danise Townsend, et al., v. Symantec Corp. and Digital River, Inc., United States District Court, District of Minnesota, 0:11-cv-00180 (JRT-FLN), Software Service Conjoint Analysis (2013 Report, deposited Aug. 15, 2013)

JDS Therapeutics, LLC and Nutrition 21, LLC, v. Pfizer Inc., Wyeth LLC, Wyeth Consumer Healthcare Ltd. and Wyeth Consumer Healthcare LLC, United States District Court, Southern District Of New York, Case No.

1:12-cv-09002-JSR, Customer Survey evaluation (2013 Report, deposited Oct. 1, 2013)

Stone Creek, Inc. v. Omnia Italian Design and Bon-Ton Stores, Inc., United States District Court, District of Arizona, Case No. 13-cv-00688-NVW, Customer Survey evaluation (2014 Report, deposited March 25, 2014; testimony at trial October 23, 2015)

Shannon Adams, et al., vs. Target Corporation, United States District Court for the Central District of California, Case No. CV13-05944-GHK (PJWx), Conjoint Analysis Design (2014 Declaration, deposited September 26, 2014)

Veronica's Auto Insurance Services, Inc. v. Veronica's Services, Inc., United States District Court for the Central District of California, Case No. CV13-05445-ODW, Analysis of Store Location Data (2014 Report)

Eat Right Foods, Ltd. v. Whole Foods Market, Inc., Whole Foods Market Services, Inc., and Whole Foods Market Pacific Northwest, Inc., United States District Court for the Western District of Washington, Case No. 3:13-cv-06032, Confusion Survey and Survey Rebuttal (2015 Report, deposited May 8, 2015)

Angela Sanchez-Knutson, et al., vs. Ford Motor Company, United States District Court, Southern District of Florida, Case No. 14-61344-CIV-DIMITROULEAS (November 13, 2015 Report, deposited December 11, 2015)

Kenai Batista, Andy Chance, and Crystal Quebral, et al., vs. Nissan North America, Inc., United States District Court, Southern District of Florida, Miami Division, Class Action: Case No. 1:14-cv-24728-Civ-Scola/Otazo-Reyez (Declaration regarding the methodology for a conjoint analysis, January 12, 2016)

Robert Tomassini, et al., vs. Chrysler Group LLC (n/k/a FCA US LLC), United States District Court, Northern District of New York, Case No. 3:14-cv-01226-MAD-DEP (Declaration regarding the methodology for a conjoint analysis, February 14, 2016)

In Re Azek Building Products, Inc. Marketing and Sales Practices Litigation, United States District Court, District of New Jersey, MDL No. 2506 (KM)(MCA) Case No. 2:12-cv-06627 (MCA) (MAH) (May 16, 2016 Report, deposited July 1, 2016)

Professional

Societies:           INFORMS (The Institute for Operations Research and Management Science)



## Exhibit B. Items Reviewed

Brazell, Jeff D., Christopher G. Diener, Ekaterina Karniouchina, William L. Moore, Valérie Séverin, and Pierre-Francois Uldry (2006), "The no-choice option and dual response choice designs," *Marketing Letters*, 17, 4, (December).

Florida's Natural Website <https://floridasnatural.com/> (visited on May 12, 2016)

Hauser, John R. and Vithala Rao (2004), "Conjoint Analysis, Related Modeling, and Applications," *Advances in Marketing Research: Progress and Prospects*, Jerry Wind and Paul Green, Eds., (Boston, MA: Kluwer Academic Publishers).

*In Re Simply Orange Orange Juice Marketing and Sales Practices Litigation vs. The Coca-Cola Company*, Master Consolidated Complaint, United District Court Western District Of Missouri Western Division, Case No. 4:12-md-02361-FJG, August 14, 2012.

Minute Maid Website <http://www.minutemaids.com/> (visited on May 12, 2016)

Orme, B. (2010). "Getting Started with Conjoint Analysis: Strategies for Product Design and Pricing Research." Second Edition, Madison, Wis.: Research Publishers LLC.

Research Now Panel Information <http://www.researchnow.com/en-US/Panels.aspx>, (visited on May 23, 2016)

Sawtooth Software Technical Paper, "Choice-based Conjoint (CBC) Technical Paper," 2013.  
[www.sawtoothsoftware.com](http://www.sawtoothsoftware.com) (visited on June 3, 2016)

Simply Orange FAQ Page <http://www.simplyorangejuice.com/faq> (visited on May 12, 2016)

Simply Orange Product Page <http://www.simplyorangejuice.com/product> (visited on May 12, 2016)

Simply Orange Website <http://www.simplyorangejuice.com/> (visited on May 12, 2016)

Sw - Image\_ TCCC\_00024723.pdf

Sw - Image\_ TCCC\_00025402 (survey).pdf

Sw - Image\_ TCCC\_00025498.pdf

Sw - Image\_ TCCC\_00025827.pdf

Sw - Image\_ TCCC\_00025836.pdf

Sw - Image\_ TCCC\_00025918.pdf

Sw - Image\_TCCC\_00026549-survey.pdf

Sw - Image\_ TCCC\_00029130-conjoint.pdf

Tropicana Website: <http://www.tropicana.com/> (visited on May 12, 2016)

## Exhibit C. Questionnaire

### Juice Products Study

#### **LEGEND:**

[PROGRAMMER NOTES IN BOLD CAPS AND BRACKETS]

*Notes to respondent in italics*

#### Overview

**Quota:** n=500 past 12 month purchasers of orange juice (Minute Maid or Simply Orange) in qualifying states (AL, CA, FL, IL, MO, NJ, NY)

[NO SURVEY TITLE WILL BE DISPLAYED TO RESPONDENTS]

[EACH QUESTION WILL BE DISPLAYED ON ITS OWN PAGE, UNLESS OTHERWISE SPECIFIED]

#### Introduction & Screening

[INTRODUCTION S1] Thank you for your willingness to participate in our study. The responses you give to these questions are very important to us. If you don't know an answer to a question or if you are unsure, please indicate this by choosing the DON'T KNOW/UNSURE option. It is very important that you do not guess.

Your answers will be kept in confidence. The results of this study will not be used to try to sell you anything.

This survey should take about 10 minutes to complete.

When you are ready to get started, please click the "NEXT" button.

[“NEXT” BUTTON TAKES RESPONDENT TO QUESTION A1]

[NEXT PAGE]

#### ACCESS (“A” SERIES OF QUESTIONS)

A1. Please enter the code exactly as it appears in the image above, and then click "NEXT" to continue.  
\*\*code is case sensitive\*\*

[INSERT CAPTCHA]

[NEXT PAGE]

[INTRODUCTION S2]

If you normally wear glasses or contact lenses when viewing a computer screen, please put them on/in before continuing to the next page. When you are ready, please click the "NEXT" button to continue.

[NEXT PAGE]

A2. What type of electronic device are you using to complete this survey? (*Select one only*)  
[RANDOMIZE]

- ☐ Desktop computer [CONTINUE]
- ☐ Laptop computer [CONTINUE]
- ☐ Tablet computer (e.g., Apple iPad, Kindle Fire, Samsung Galaxy Tab, Motorola Xoom) [CONTINUE]
- ☐ Smartphone (e.g., Apple iPhone, Samsung Galaxy, HTC One) [ON HOLD]
- ☐ Other mobile or electronic device [ANCHOR; ON HOLD]

[IF "SMARTPHONE" OR "OTHER" SELECTED IN A2, DISPLAY: "This survey is not formatted for viewing on a smartphone or other mobile device. Please return to the survey, using the same link, from a desktop, laptop or tablet computer."]

[NEXT PAGE]

#### SCREENING QUALIFICATION ("S" SERIES OF QUESTIONS)

S1. In which state do you currently reside? (*Select one only*) [DROP DOWN LIST OF 50 STATES + DC. IF "MY AREA IS NOT LISTED HERE" IS SELECTED, TERMINATE. MUST RESIDE IN ALABAMA, CALIFORNIA, FLORIDA, ILLINOIS, MISSOURI, NEW JERSEY, OR NEW YORK TO CONTINUE, OTHERWISE TERMINATE.]

[TERMINATES ARE SENT TO PANEL TERMINATION/THANK-YOU PAGE]

[NEXT PAGE]

S2. Are you...? (*Select one only*)

- ☐ Male
- ☐ Female
- ☐ Prefer not to say [TERMINATE]

[NEXT PAGE]

S3. Into which of the following categories does your age fall? (*Select one only*)

- ☐ Under 18 [TERMINATE]
- ☐ 18-34 [CONTINUE]
- ☐ 35-49 [CONTINUE]
- ☐ 50-64 [CONTINUE]
- ☐ 65+ [CONTINUE]
- ☐ Prefer not to say [TERMINATE]

[NEXT PAGE]

[TERMINATE IF AGE OR GENDER DO NOT MATCH RESPONDENT PARAMETERS PASSED BY PANEL PROVIDER]

[NEXT PAGE]

S4. Do you or does any member of your household work for any of the following types of companies?  
(*Select all that apply*)

[RANDOMIZE; ANCHOR "NONE OF THE ABOVE" LAST]

- ☐ A company that makes or sells beverages [TERMINATE]
- ☐ A company that makes or sells candy
- ☐ A company that makes or sells bread
- ☐ A company that makes or sells household cleaning products
- ☐ A marketing or market research firm [TERMINATE]
- ☐ A public relations or advertising agency [TERMINATE]
- ☐ None of the above [EXCLUSIVE]

[TERMINATE IF "BEVERAGES", "MARKETING OR MARKET RESEARCH FIRM", OR "PUBLIC RELATIONS OR ADVERTISING AGENCY" IS SELECTED]

[NEXT PAGE]

S5. In the **past 12 months**, which, if any, of the following grocery products have you personally purchased? (*Select all that apply*)

[RANDOMIZE; ANCHOR "NONE OF THE ABOVE"]

- ☐ Bottled water
- ☐ Bread
- ☐ Cereal
- ☐ Cheese
- ☐ Dish soap
- ☐ Ice cream
- ☐ Laundry detergent
- ☐ Milk
- ☐ Orange juice
- ☐ None of the above [EXCLUSIVE]

[TERMINATE IF "ORANGE JUICE" NOT SELECTED]

[NEXT PAGE]

S6. You previously mentioned that you had personally purchased orange juice in the **past 12 months**. Which, if any, types of orange juice have you purchased? (*Select all that apply*)

[RANDOMIZE; ANCHOR "NONE OF THE ABOVE"]

- ☐ Frozen orange juice (to be mixed with water before serving)
- ☐ Bottles or cartons of ready-to-drink orange juice
- ☐ Freshly squeezed orange juice, like the kind you would make fresh at home, order at a restaurant or buy at a farm stand
- ☐ None of the above [EXCLUSIVE]

[TERMINATE IF "BOTTLES OR CARTONS OF READY-TO-DRINK ORANGE JUICE" NOT SELECTED]

S7. Which, if any, of the following brands of **bottles or cartons of ready-to-drink orange juice** have you personally purchased at least once in the **past 12 months**? *(Select one response per row)*

[RANDOMIZE, ANCHOR “OTHER” & “STORE BRAND”]

	Yes	No	Don't Know / Unsure
Minute Maid	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tropicana	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simply Orange	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Florida's Natural	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Store brand/Private label	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify):_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

[MUST SELECT “YES” TO MINUTE MAID OR SIMPLY ORANGE TO CONTINUE, OTHERWISE TERMINATE]

[NEXT PAGE]

S8. For quality control purposes, please select “East” from the list below. *(Select one only)*

[RANDOMIZE; TERMINATE IF ‘East’ NOT SELECTED]

- ☐ North [TERMINATE]
- ☐ East
- ☐ South [TERMINATE]
- ☐ West [TERMINATE]

S9. You have qualified to take this survey. Before continuing, please carefully read these instructions:

- Please take the survey in one session without interruption.
- While taking the survey, please do not consult any other websites or other electronic or written materials.
- Please answer all questions on your own without consulting any other person.
- If you normally wear glasses or contact lenses when viewing a computer screen, please put them on/in before continuing to the next page.

*(Select one only)*

- ☐ I understand and agree to the above instructions [CONTINUE]
- ☐ I do not understand or do not agree to the above instructions [TERMINATE]

[NEXT PAGE]

## Choice Exercise Setup

### [INTRODUCTION 1]

For the following questions, we will be focusing on the decision to purchase a **bottle of ready-to-drink orange juice**.

### [NEXT PAGE]

Now imagine that you are shopping for orange juice. Once again, we are focused on bottles of ready-to-drink orange juice.

The following questions will involve a series of exercises. In each exercise, you will make **two** choices.

- First, **you will be shown different bottles of orange juice that vary in terms of features and prices**. You will be asked to **choose the type of orange juice with the set of features and prices shown that you most prefer**.
- You will also be asked whether **you would actually be willing to buy the orange juice that you chose at the price indicated**.

### [WAIT 10 SECONDS BEFORE SHOWING 'NEXT' BUTTON]

### [NEXT PAGE]

The bottles of **orange juice** that will be shown to you include one or more features within each of the following categories:

### [RANDOMIZE LIST; ANCHOR PRICE LAST]

1. Added Flavorings
2. Levels of Pulp Content
3. Concentrate
4. Expiration Date
5. Brand
6. Price **[ANCHOR]**

### [NEXT PAGE]

For the purpose of these exercises, you should assume:

- Any features not shown in the exercise are the same across the possible choices presented.
- All orange juices are available at the store at which you typically shop.
- No coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase. The price shown is the price you will pay.
- Each option shown is a 59 fluid ounce clear plastic bottle of ready-to-drink orange juice. Please note that 59 fluid ounces is a little less than half a gallon.

Again, please assume that all other features will be the same across the bottles of orange juice you will be shown.

Click "NEXT" to continue. [WAIT 5 SECONDS BEFORE SHOWING 'NEXT' BUTTON; PROGRAM BULLET POINTS TO APPEAR WITH 3 SECOND INTERVALS BETWEEN EACH BULLET]

[NEXT PAGE]

We will now give you a more detailed introduction to each feature.

[NEXT PAGE]

[RANDOMIZE THE FOLLOWING SECTIONS IN THE SAME ORDER AS THE LIST ABOVE. PRICE IS ALWAYS THE LAST CATEGORY SHOWN]

### Added Flavorings

The bottles of orange juice you will choose from vary on **Added Flavorings**.

- The additional orange flavorings we will discuss are derived from various parts of the orange.
- These orange flavorings are created by flavor experts to give the orange juice a consistent taste from bottle to bottle.

We will use three different options for added flavorings in our choice exercise:

Contains added orange flavorings <u>not disclosed</u> on the labeling on the bottle	Contains added orange flavorings <u>disclosed</u> on the labeling on the bottle	Contains <u>no added orange flavorings</u>
The orange flavorings added are <u>not disclosed</u> on the labeling on the bottle.	The orange flavorings added are <u>disclosed</u> on the labeling on the bottle.	There are no orange flavorings added.

[NEXT PAGE]

### Levels of Pulp Content

The bottles of orange juice you will choose from vary on **Levels of Pulp Content**.

- Pulp is juicy bits of real orange found in orange juice. When added to the juice, pulp provides a thicker consistency. When removed from the juice, the juice has a thinner consistency.

We will use three different levels of pulp content options in our choice exercise:

High Pulp	Low Pulp	Pulp Free
Orange juice with high pulp has the <u>most pulp</u> and the thickest consistency. High pulp	Orange juice with low pulp has <u>less pulp</u> and a thinner consistency. Low pulp is for those that like some, but not a lot of pulp.	Orange juice that is pulp free has <u>no pulp</u> and the thinnest consistency. Pulp free is for those that do not like pulp.

is for those that like a lot of pulp.		
---------------------------------------	--	--

[NEXT PAGE]

### Concentrate

The bottles of orange juice you will choose from vary on whether or not they are made from **Concentrate**.

- Some orange juices are made from concentrate. "FROM CONCENTRATE" orange juice is juiced from the fruit, then heated to remove most of the water from the orange juice, to allow for more efficient transportation and storage. After storage, the juice is later reconstituted, in which the concentrate is mixed with water to return it to a ready-to-drink liquid that is bottled and sold.
- Other orange juices are "NOT FROM CONCENTRATE". This type of orange juice is not heated to remove the water and remains in liquid form from the initial juicing through bottling and delivery to the store.

We will use two different Concentrate options in our choice exercise:

From Concentrate	Not From Concentrate
This orange juice is <u>made from concentrate</u> .	This orange juice is <u>not made from concentrate</u> .

[NEXT PAGE]

### Expiration Date

The bottles of orange juice you will choose from vary on **Expiration Date**.

- To enjoy the freshest taste, it's best to drink bottled ready-to-drink orange juice before the expiration date.
- Each bottle of ready-to-drink orange juice has an expiration date printed on the bottle.

We will use three different expiration date options in our choice exercise:

Expires <u>tomorrow</u>	Expires a <u>week</u> from today	Expires a <u>month</u> from today
The expiration date written on the bottle <u>expires tomorrow</u> .	The expiration date written on the bottle <u>expires in a week</u> .	The expiration date written on the bottle <u>expires in a month</u> .

[NEXT PAGE]



## Brand

The bottles of orange juice you will choose from vary on **Brand**.

- All orange juice brands shown below are available at the store at which you typically shop.
- Each option shown is a 59 fluid ounce (fl. oz.) clear plastic bottle of ready-to-drink orange juice. Please note that 59 fluid ounces is a little less than half a gallon.

We will use five different brand options in our choice exercise:

<b>Tropicana</b>	<b>Simply Orange</b>	<b>Minute Maid</b>	<b>Florida's Natural</b>	<b>Store brand/Private label</b>
The brand of this orange juice is Tropicana.	The brand of this orange juice is Simply Orange.	The brand of this orange juice is Minute Maid.	The brand of this orange juice is Florida's Natural.	The brand of this orange juice is a store brand or private label.

[NEXT PAGE]

## Price

The bottles of orange juice you will choose from vary on **Price**.

- Assume no coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase. The price shown is the price you will pay.
- Assume each option shown is a 59 fluid ounce (fl. oz.) clear plastic bottle of ready-to-drink orange juice. Please note 59 fluid ounces is a little less than half a gallon.

We will use four different price options in our choice exercise:

<b>\$1.99</b>	<b>\$2.99</b>	<b>\$3.99</b>	<b>\$4.99</b>
You will pay \$1.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$2.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$3.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$4.99 for this 59 fl. oz. bottle of orange juice.

[NEXT PAGE]

## Choice Exercise Tutorial

Here is an **example** of what one particular set of choices might look like.

Please note, in the actual exercise, you will be able to click on the blue, underlined attribute labels to review the detailed information about the levels in each attribute.

*This is just an example.*

[INSERT SAMPLE IMAGE OF CHOICE TASK]

Please click the "NEXT" button after you have reviewed the example.

[WAIT 5 SECONDS BEFORE SHOWING 'NEXT' BUTTON]

[NEXT PAGE]

On each of the pages that follow there will be three hypothetical bottles of orange juice presented, each with a different set of features. You will be asked to choose the type of orange juice you most prefer **if there were no other orange juice options available AND all other features not mentioned in the exercise were the same across the bottles of orange juice shown.**

- Assume that the orange juices do not vary on any features other than the features that are shown to vary.
- Please also assume that the price shown with each hypothetical bottle of orange juice presented is the best price available for this particular orange juice.

Once you have chosen one of the three bottles of orange juice as your most preferred option, you will then be asked a second question:

“Given your knowledge of the market, would you **actually be willing to buy the orange juice that you chose above?**”

There will be twelve of these choice exercises, after which the survey will conclude.

Next, you will begin the choice exercises. Click the “NEXT” button to get started.

[WAIT 10 SECONDS BEFORE SHOWING 'NEXT' BUTTON]

[NEXT PAGE]

### Choice Exercises

[CONJOINT EXERCISE TAKES PLACE HERE. CHOICE TASK REPEATED 12 TIMES. ATTRIBUTE ORDER RANDOMIZED ACROSS RESPONDENTS. THE ONE EXCEPTION IS PRICE, WHICH IS ALWAYS LAST.]

[ABOVE EACH CHOICE TASK, DISPLAY “You may click on any attribute to review the levels included in each at any time.”]

[NEXT PAGE]

[RESPONDENTS FORWARDED TO PANEL THANK-YOU PAGE]

[END OF SURVEY]

## Exhibit D. Screenshots

### Introduction & Screening:

#### Introduction S1

Thank you for your willingness to participate in our study. The responses you give to these questions are very important to us. If you don't know an answer to a question or if you are unsure, please indicate this by choosing the DON'T KNOW/UNSURE option. It is very important that you do not guess.


Your answers will be kept in confidence. The results of this study will not be used to try to sell you anything.

This survey should take about 10 minutes to complete.

When you are ready to get started, please click the "NEXT" button.


**NEXT**

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0%  100%  
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### Access ("A" Series of Questions):

#### A1




Please enter the code exactly as it appears in the image above, and then click "NEXT" to continue.

\*\* code is case sensitive \*\*

**NEXT**

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## Introduction S2

If you normally wear glasses or contact lenses when viewing a computer screen, please put them on/in before continuing to the next page. When you are ready, please click the "NEXT" button to continue.

**NEXT**

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## A2

What type of electronic device are you using to complete this survey?

*(Select one only)*

☐ Laptop computer

☐ Smartphone (e.g., Apple iPhone, Samsung Galaxy, HTC One)


☐ Desktop computer

☐ Tablet computer (e.g., Apple iPad, Kindle Fire, Samsung Galaxy Tab, Motorola Xoom)

☐ Other mobile or electronic device

**NEXT**

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Screening Qualification (“S” Series of Questions):

S1

In which state do you currently reside?  
*(Select one only)*

NEXT

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S2

Are you...?  
*(Select one only)*  

Male

Female

Prefer not to say

NEXT

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S3

Into which of the following categories does your age fall?

*(Select one only)*

☐ Under 18

☐ 18 - 34

☐ 35 - 49


☐ 50 - 64

☐ 65+

☐ Prefer not to say

**NEXT**

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S4

Do you or does any member of your household work for any of the following types of companies?

*(Select all that apply)*

☐ A company that makes or sells beverages

☐ A company that makes or sells candy

☐ A public relations or advertising agency

☐ A company that makes or sells household cleaning products


☐ A marketing or market research firm

☐ A company that makes or sells bread

☐ None of the above

**NEXT**

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D-4

S5


In the **past 12 months**, which, if any, of the following grocery products have you personally purchased?

*(Select all that apply)*

- ☐ Ice cream
- ☐ Cheese
- ☐ Milk
- ☐ Orange juice
- ☐ Dish soap
- ☐ Laundry detergent
- ☐ Cereal
- ☐ Bread
- ☐ Bottled water
- ☐ None of the above

**NEXT**

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S6


You previously mentioned that you had personally purchased orange juice in the **past 12 months**. Which, if any, types of orange juice have you purchased?

*(Select all that apply)*

- ☐ Bottles or cartons of ready-to-drink orange juice
- ☐ Freshly squeezed orange juice, like the kind you would make fresh at home, order at a restaurant or buy at a farm stand
- ☐ Frozen orange juice (to be mixed with water before serving)
- ☐ None of the above

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D-5

S7


Which, if any, of the following brands of **bottles or cartons of ready-to-drink orange juice** have you personally purchased at least once in the **past 12 months**?

*(Select one response per row)*

	Yes	No	Don't Know/Unsure
Minute Maid	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simply Orange	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Florida's Natural	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tropicana	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Store brand/Private label	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify): <input type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**NEXT**

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S8


For quality control purposes, please select "East" from the list below.

*(Select one only)*

☐ East  
☐ South  
☐ West  
☐ North

**NEXT**

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D-6



You have qualified to take this survey. Before continuing, please carefully read these instructions:

- Please take the survey in one session without interruption.
- While taking the survey, please do not consult any other websites or other electronic or written materials.
- Please answer all questions on your own without consulting any other person.
- If you normally wear glasses or contact lenses when viewing a computer screen, please put them on/in before continuing to the next page.


*(Select one only)*

☐ I understand and agree to the above instructions

☐ I do not understand or do not agree to the above instructions

**NEXT**

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## Choice Exercise Setup

### Introduction 1

For the following questions, we will be focusing on the decision to purchase a **bottle of ready-to-drink orange juice**.

NEXT

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Now imagine that you are shopping for orange juice. Once again, we are focused on bottles of ready-to-drink orange juice.

The following questions will involve a series of exercises. In each exercise, you will make **two** choices.

- First, **you will be shown different bottles of orange juice that vary in terms of features and prices**. You will be asked to **choose the type of orange juice with the set of features and prices shown that you most prefer**.
- You will also be asked whether **you would actually be willing to buy the orange juice that you chose at the price indicated**.

NEXT

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The bottles of **orange juice** that will be shown to you include one or more features within each of the following categories:

1. Levels of Pulp Content
2. Expiration Date
3. Concentrate
4. Added Flavorings
5. Brand
6. Price

**NEXT**

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For the purpose of these exercises, you should assume:

- Any features not shown in the exercise are the same across the possible choices presented.
- All orange juices are available at the store at which you typically shop.
- No coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase. The price shown is the price you will pay.
- Each option shown is a 59 fluid ounce clear plastic bottle of ready-to-drink orange juice. Please note that 59 fluid ounces is a little less than half a gallon.

Again, please assume that all other features will be the same across the bottles of orange juice you will be shown.

Click "NEXT" to continue.

**NEXT**

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We will now give you a more detailed introduction to each feature.

NEXT

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## Levels of Pulp Content

The bottles of orange juice you will choose from vary on **Levels of Pulp Content**.

- Pulp is juicy bits of real orange found in orange juice. When added to the juice, pulp provides a thicker consistency. When removed from the juice, the juice has a thinner consistency.

We will use three different levels of pulp content options in our choice exercise:

High Pulp	Low Pulp	Pulp Free
Orange juice with high pulp has the <u>most pulp</u> and the thickest consistency. High pulp is for those that like a lot of pulp.	Orange juice with low pulp has <u>less pulp</u> and a thinner consistency. Low pulp is for those that like some, but not a lot of pulp.	Orange juice that is pulp free has <u>no pulp</u> and the thinnest consistency. Pulp free is for those that do not like pulp.

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## Expiration Date

The bottles of orange juice you will choose from vary on **Expiration Date**.

- To enjoy the freshest taste, it's best to drink bottled ready-to-drink orange juice before the expiration date.
- Each bottle of ready-to-drink orange juice has an expiration date printed on the bottle.

We will use three different expiration date options in our choice exercise:

Expires <u>tomorrow</u>	Expires a <u>week</u> from today	Expires a <u>month</u> from today
The expiration date written on the bottle <u>expires tomorrow</u> .	The expiration date written on the bottle <u>expires in a week</u> .	The expiration date written on the bottle <u>expires in a month</u> .

**NEXT**

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## Concentrate

The bottles of orange juice you will choose from vary on whether or not they are made from **Concentrate**.

- Some orange juices are made from concentrate. "FROM CONCENTRATE" orange juice is juiced from the fruit, then heated to remove most of the water from the orange juice, to allow for more efficient transportation and storage. After storage, the juice is later reconstituted, in which the concentrate is mixed with water to return it to a ready-to-drink liquid that is bottled and sold.
- Other orange juices are "NOT FROM CONCENTRATE". This type of orange juice is not heated to remove the water and remains in liquid form from the initial juicing through bottling and delivery to the store.

We will use two different Concentrate options in our choice exercise:

From Concentrate	Not From Concentrate
This orange juice is <u>made from concentrate</u> .	This orange juice is <u>not made from concentrate</u> .

**NEXT**

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## Added Flavorings

The bottles of orange juice you will choose from vary on **Added Flavorings**.

- The additional orange flavorings we will discuss are derived from various parts of the orange.
- These orange flavorings are created by flavor experts to give the orange juice a consistent taste from bottle to bottle.

We will use three different options for added flavorings in our choice exercise:

Contains added orange flavorings <u>not disclosed</u> on the labeling on the bottle	Contains added orange flavorings <u>disclosed</u> on the labeling on the bottle	Contains <u>no added orange flavorings</u>
The orange flavorings added are <u>not disclosed</u> on the labeling on the bottle.	The orange flavorings added are <u>disclosed</u> on the labeling on the bottle.	There are no orange flavorings added.

**NEXT**

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## Brand

The bottles of orange juice you will choose from vary on **Brand**.

- All orange juice brands shown below are available at the store at which you typically shop.
- Each option shown is a 59 fluid ounce (fl. oz.) clear plastic bottle of ready-to-drink orange juice. Please note that 59 fluid ounces is a little less than half a gallon.

We will use five different brand options in our choice exercise:

Tropicana	Simply Orange	Minute Maid	Florida's Natural	Store brand/Private label
The brand of this orange juice is Tropicana.	The brand of this orange juice is Simply Orange.	The brand of this orange juice is Minute Maid.	The brand of this orange juice is Florida's Natural.	The brand of this orange juice is a store brand or private label.

**NEXT**

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## Price

The bottles of orange juice you will choose from vary on **Price**.

- Assume no coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase. The price shown is the price you will pay.
- Assume each option shown is a 59 fluid ounce (fl. oz.) clear plastic bottle of ready-to-drink orange juice. Please note 59 fluid ounces is a little less than half a gallon.

We will use four different price options in our choice exercise:

\$1.99	\$2.99	\$3.99	\$4.99
You will pay \$1.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$2.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$3.99 for this 59 fl. oz. bottle of orange juice.	You will pay \$4.99 for this 59 fl. oz. bottle of orange juice.

**NEXT**

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## Choice Exercise Tutorial

Here is an **example** of what one particular set of choices might look like.

Please note, in the actual exercise, you will be able to click on the blue, underlined attribute labels to review the detailed information about the levels in each attribute.

*This is just an example.*

<b><u>Brand:</u></b>	Store brand/Private label	Minute Maid	Florida's Natural
<b><u>Levels of Pulp Content:</u></b>	High Pulp	Low Pulp	High Pulp
<b><u>Concentrate:</u></b>	Not From Concentrate	Not From Concentrate	From Concentrate
<b><u>Expiration Date:</u></b>	Expires <u>tomorrow</u>	Expires a <u>week</u> <u>from today</u>	Expires a <u>month</u> <u>from today</u>
<b><u>Added Flavorings:</u></b>	Contains added orange flavorings <u>not disclosed</u> on the labeling on the bottle	Contains added orange flavorings <u>disclosed</u> on the labeling on the bottle	Contains <u>no added orange flavorings</u>
<b><u>Price:</u></b>	\$4.99	\$2.99	\$1.99
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please click the "NEXT" button after you have reviewed the example.

**NEXT**

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On each of the pages that follow there will be three hypothetical bottles of orange juice presented, each with a different set of features. You will be asked to choose the type of orange juice you most prefer **if there were no other orange juice options available AND all other features not mentioned in the exercise were the same across the bottles of orange juice shown.**

- Assume that the orange juices do not vary on any features other than the features that are shown to vary.
- Please also assume that the price shown with each hypothetical bottle of orange juice presented is the best price available for this particular orange juice.

Once you have chosen one of the three bottles of orange juice as your most preferred option, you will then be asked a second question:

**"Given your knowledge of the market, would you actually be willing to buy the orange juice that you chose above?"**

There will be twelve of these choice exercises, after which the survey will conclude.

Next, you will begin the choice exercises. Click the "NEXT" button to get started.

**NEXT**

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## Choice Exercises

(Note: This is repeated 12 times)

(1/12)

**If these were your only options and you were choosing a bottle of orange juice, which orange juice would you choose?**  
 Choose by clicking one of the buttons below. Click the arrow at the bottom to continue.

Assume that the orange juices do not vary on any features other than the features that are shown to vary. Please also assume that the price shown with each hypothetical bottle of orange juice presented is the best price available for this particular orange juice.

You may click on any attribute to review the levels included in each at any time.

<b>Brand:</b>	Store brand/Private label	Minute Maid	Florida's Natural
<b>Levels of Pulp Content:</b>	High Pulp	Low Pulp	High Pulp
<b>Concentrate:</b>	Not From Concentrate	Not From Concentrate	From Concentrate
<b>Expiration Date:</b>	Expires <u>tomorrow</u>	Expires a <u>week</u> from today	Expires a <u>month</u> from today
<b>Added Flavorings:</b>	Contains added orange flavorings <u>not disclosed</u> on the labeling on the bottle	Contains added orange flavorings <u>disclosed</u> on the labeling on the bottle	Contains <u>no added</u> orange flavorings
<b>Price:</b>	\$4.99	\$2.99	\$1.99
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Given your knowledge of the market, would you **actually be willing to buy the orange juice that you chose above?**

☐ Yes  
☐ No

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## Exhibit D. Changes Made to Orange Juice Survey Due to Preliminary Pretesting

### Overview

AMS conducted pretesting of the orange juice survey under the direction of Steven Gaskin to ensure that the survey content and questions were understood by the respondents. In the first stage, preliminary pretesting, 49 pretest respondents were sufficient to proceed to the second stage, “dry run” pretesting.

A number of potential issues were identified in the course of preliminary pretesting of the orange juice survey. The potential issues are summarized below, along with their associated findings and solutions.

Orange Juice Survey Preliminary Pretesting	
Potential Issue	Finding and Solution
1. Respondents noted areas in the survey where minor wording and formatting edits would be beneficial.	Wording and formatting edits were made throughout the survey.
2. Some respondents noted brands of frozen orange juice they had purchased in the past 12 months in S7.	Language was edited in S7 to ensure respondents were selecting brands of bottles or cartons of ready-to-drink orange juice that they had purchased in the past 12 months.
3. Some respondents felt that an orange juice that expired “today” was unrealistic and not something they would typically see when personally shopping for orange juice.	Language for this attribute level was changed from “Expires <u>today</u> ” to “Expires <u>tomorrow</u> ”.
4. Some respondents did not fully understand that the price shown is the price they would pay.	The sentence “The price shown is the price you will pay” was added to further clarify the assumption under the price attribute stating that no coupons, store promotions, discounts, or store reward or loyalty cards will be applied to the purchase.
5. Some respondents did not fully understand or read through the conjoint example or subsequent page of the survey that fully explained the conjoint task in which they were about to participate.	Speedbumps were added into the survey to focus respondents’ attention on the conjoint task example and subsequent explanation of the conjoint task. Speedbumps are designed to ensure that respondents view a page for a minimum amount of time before they continue to the next page.

<p>6. Some respondents had difficulty picturing a bottle that was 59 fluid ounces.</p>	<p>The language was adapted to compare the size of the bottle to a little less than half a gallon. Respondents were then able to better understand the size of 59 fluid ounces when compared to a little less than half a gallon.</p>
<p>7. Some respondents noted that a few introduction pages had a lot more words and information than other introduction pages.</p>	<p>In the Choice Exercise Setup, a speedbump was added to the introduction starting with “Now imagine that you are shopping for orange juice...”. This ensured that respondents carefully read the two bullets presented to them before they could press the next button. A speedbump was also added to the introduction that states, “For the purpose of these exercise, you should assume:”.</p>

**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

trying to see what consumers would look for in packaging and buy most often.

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.
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Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.
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**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_  
☒ No  
☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

To see price points and what is important to display on the bottle based on what people would or wouldn't buy

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.  
☒ No, I did not have difficulty understanding the questions and instructions.  
☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

---

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.  
☐ No, I was not able to answer all of the questions.  
☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

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- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No *Don't know*
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

*To see if ppl pay attention to whats ~~in~~ in it, and the expiration date, nutrients, minerals it is*

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions. *Not at all*
- ☐ Unsure

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*looked at all,*

*pulp, puc  
exp da  
nutrion  
all of  
them*

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☒ Yes... If yes, who? orange juice company
- ☐ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

to see what people are looking for when purchasing OJ (price, added ingredients, etc.)

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

To find out if people would buy a certain brand of OJ that expires at a certain time at a specific price (concentrated or not)

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

to determine pricing & amount of pulp

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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\_\_\_\_\_

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☒ Yes... If yes, who? an orange juice company
- ☐ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

to better target markets

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

To see importance of labeling.

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☒ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_  
☒ No company maybe, but I don't know  
☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

see what ppl want in this vct

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.  
☒ No, I did not have difficulty understanding the questions and instructions. understood clear  
☐ Unsure

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No not sure
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

To determine what pref people have in  
exp date, concentration, date, etc.

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
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☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices. *looked at all but some were important than others*  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure

**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☐ No
- ☒ Unsure

Q2. What do you think might be the purpose for conducting this survey?

Trying to see if people would buy a brand even if ingredients were not listed

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☒ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.
- ☐ No, I did not look at all or almost all of the features in making my choices.
- ☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.
- ☐ No, I did not consider some features to be more important than others.
- ☐ Unsure

**PILOT TESTS**

- Telephone interviews with last 3-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

*to see what the best value is for certain types of OJ (e.g. pulp, vitamins, price, etc.) just*

Q3. Did you or did you not have difficulty understanding the questions and instructions? *to get a better idea of what to put out there*

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.
- ☐ No, I did not look at all or almost all of the features in making my choices.
- ☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.
- ☐ No, I did not consider some features to be more important than others.
- ☐ Unsure

**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No *can't guess*
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

*To see who gives you the best value of OJ, conc not conc, expiration date, pulp*

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions. *not at all*
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood. *I did*  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure



**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_  
☒ No  
☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

Find out what kind of QT people like the brand people like maybe.

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.  
☒ No, I did not have difficulty understanding the questions and instructions.  
☐ Unsure

*The attributes were all mixed up, and so you were trying to see what attributes mattered most to people.*

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.  
☐ No, I was not able to answer all of the questions.  
☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure

**PILOT TESTS**

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

~~Q2~~ Maybe some OJ company wants to know what price people

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

are willing to  
buy their products

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure

**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☒ Yes... If yes, who? one of any of the brands in the survey, not specific  
☐ No  
☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

get a sampling of consumers' preferences for OJ attributes

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.  
☒ No, I did not have difficulty understanding the questions and instructions.  
☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]  
  
\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.  
☐ No, I was not able to answer all of the questions.  
☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]  
  
\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure

**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

looking at what attributes of OJ are most preferred to consumer

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure



**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
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Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☒ Yes... If yes, who? One of the name brands but doesn't know  
☐ No  
☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

to see where the market lies in terms of what DU people are willing to buy

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.  
☒ No, I did not have difficulty understanding the questions and instructions. examples were helpful  
☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

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Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.  
☐ No, I was not able to answer all of the questions.  
☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

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Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

looking for the OJ characteristics that people are most concerned with

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions. very simple
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.
- ☐ No, I did not understand.
- ☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.
- ☐ No, I did not look at all or almost all of the features in making my choices.
- ☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others.
- ☐ No, I did not consider some features to be more important than others.
- ☐ Unsure

**PILOT TESTS**

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☒ Yes... If yes, who? assumes that its an OS company, specifically maybe Minute Maid
- ☐ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

figuring out which types of juices are popular and why

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

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Q4. Were you able to answer all of the questions?

- ☒ Yes, I was able to answer all of the questions.
- ☐ No, I was not able to answer all of the questions.
- ☐ Unsure

[IF "NO," PROBE FOR DIFFICULTIES. FOR EACH QUESTION THAT THEY COULDN'T ANSWER, ASK OPEN ENDED QUESTIONS: Why was the question difficult to provide an answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

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Q5. In doing the choice exercises, did you or did you not understand that you were asked to imagine that you were in the market to purchase a bottle of orange juice?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

[READ] Please think back to the part of the survey where you were asked to choose your most preferred bottle of orange juice...

Q6. Did you or did you not understand that the bottles of orange juice you were asked to choose among only varied on the features described and that all the *other* features of the bottles of orange juice choices were the same?

- ☒ Yes, I understood.  
☐ No, I did not understand.  
☐ Unsure

Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices.  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

- ☒ Yes, I considered some features to be more important than others. *expiration date, brand, pulp content*  
☐ No, I did not consider some features to be more important than others.  
☐ Unsure

**PILOT TESTS**

- Telephone interviews with last 12-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
- The following questions will be asked after the respondent has completed the survey

Thank you for taking the time to complete the survey. As a reminder, your responses will be kept completely confidential and we will not use any of your responses to sell you anything. We would now like to ask you a few additional questions.

Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

targeting a specific group to determine what kind of *OT brand they*  
*would buy & at*  
*what price*

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

[IF "YES," PROBE FOR DIFFICULTIES. FOR EACH QUESTION OR INSTRUCTION THAT THEY FOUND DIFFICULT TO ANSWER ASK OPEN ENDED QUESTIONS: Why was the question or instruction difficult to answer? Would you have preferred a different way to ask the question or give the instruction? Would you please give an example? ASK "Anything else?" UNTIL THE RESPONDENT SAYS "Nothing else."]

\_\_\_\_\_

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Q7. Did or did you not look at all or almost all of the features in making your choices?

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- ☒ Yes... If yes, who? OJ company but not specific as to which one
- ☐ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

to figure out for whoever is behind the survey pricing & preference of OJ

Q3. Did you or did you not have difficulty understanding the questions and instructions? for whatever their targeted demographic is

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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**PILOT TESTS**

- Telephone interviews with last 3-month purchasers of bottles of ready-to-drink bottles of Simply Orange or Minute Maid orange juice
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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

*to figure out if people will interpret OS as ~~the~~ they  
fresh squeezed if not consumed immediately after it is made*

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
- ☐ Unsure

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- ☐ No, I was not able to answer all of the questions.
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\_\_\_\_\_

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Q1. Do you or do you not have a belief about who might be the sponsor of this study?

- ☐ Yes... If yes, who? \_\_\_\_\_
- ☒ No
- ☐ Unsure

Q2. What do you think might be the purpose for conducting this survey?

*to see what is important to consumers, what features chose when buying something.*

Q3. Did you or did you not have difficulty understanding the questions and instructions?

- ☐ Yes, I had difficulty understanding the questions and instructions.
- ☒ No, I did not have difficulty understanding the questions and instructions.
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Q7. Did or did you not look at all or almost all of the features in making your choices?

- ☒ Yes, I looked at all or almost all of the features in making my choices. *looked at all*  
☐ No, I did not look at all or almost all of the features in making my choices.  
☐ Unsure

Q8. In making your choices, did you or did you not consider some features to be more important than others?

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